

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

GLADSTONE TAYLOR, individually and
on behalf of all others similarly situated,

Plaintiff,

vs.

MICROGENICS CORPORATION, *et al.*,

Defendants.

Hon. Vincent L. Briccetti

Case No. 7:21-cv-06452-VLB-AK

**DEFENDANT MICROGENICS CORPORATION'S
NOTICE OF MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

PLEASE TAKE NOTICE that Defendant Microgenics Corporation shall move before the Honorable Vincent L. Briccetti, United States District Judge, on a date and time to be set by the Court, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing with prejudice Plaintiff's claim against it (Count II of the Complaint) for failure to state a claim upon which relief can be granted.

PLEASE TAKE FURTHER NOTICE that Microgenics shall rely upon the accompanying Memorandum of Law in support of its Motion, and upon the record and pleadings filed herein.

Respectfully submitted,

Dated: October 14, 2021.

s/Erica Mekles

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